

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

UNITED STATES OF AMERICA

VERSUS

CRIMINAL ACTION NO. 4:09CR7-P-A

**MARSHA DEAN RUFFINS
DEONDRIA SHUNTA WINDER
TONY HAGGARD**

ORDER

This cause is before the Court on defendants' Motion for Continuance [40]. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

The trial of this matter is currently set for October 26, 2009. Defense counsel avers that the government intends to furnish defendants with additional discovery. Furthermore, despite their best efforts, the parties have not been able to make arrangements for a proffer meeting with one of the defendants because of health problems related to a recent pregnancy. The proffer meeting is purported essential to the resolution of a representation conflict asserted by the government. The government does not oppose the relief sought in the instant motion. Based on the foregoing, the Court finds that the defendants' Motion for Continuance is well-taken and should be granted.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(7)(A), the period of delay from October 26, 2009 until the new trial date to be set in this matter. The time is excludable under subsection (h)(7)(A) because, given the circumstances described above, a continuance is necessary to afford defendants additional time to conduct

discovery and to prepare a defense to the charges at issue. Therefore, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendants in a speedy trial.

IT IS, THEREFORE, ORDERED AND ADJUDGED that

1. The defendants' Motion for Continuance [40] is GRANTED;
2. That the trial of this matter is continued as to all defendants until Monday, December 7, 2009 at 9:00 a.m. in the United States District Courthouse in Greenville, Mississippi;
3. That the delay from October 26, 2009 until December 7, 2009 is excluded as set out above;
4. That the deadline for filing pretrial motions is November 16, 2009;
5. That the deadline for submitting a plea agreement is November 23, 2009.

SO ORDERED, this the 20th day of October, 2009.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE